

REMARKS

Attached hereto is a marked up version of the changes made to the claims by the current amendment. The attached page is captioned "Version With Markings to Show Changes Made."

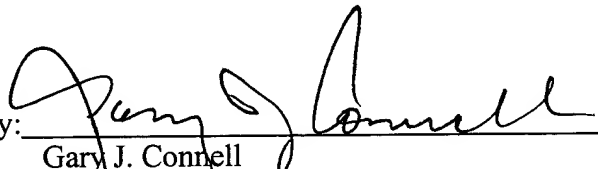
In the office action dated May 31, 2002, the Examiner rejected claims 8, 13-16, 31, 51-52, 72, 81-84, 100, 104-105, 129-131, 151-152 and 158 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. More specifically, the Examiner objected to the terms "capable of," "modifying," and "indicator." The amendments referenced above have either canceled the claim in question or amended the claim to delete reference to the term objected to by the Examiner. In view of the foregoing amendments, Applicants request that the rejection under 35 U.S.C. 112, second paragraph be withdrawn.

The Examiner also rejected claims 1-5 under 35 U.S.C. 102 as being anticipated by U.S. Patent No. 5,973,024 to Imashiro. Applicants hereby traverse this rejection. The present application is a continuation of U.S. Patent Application Serial No. 09/244,324 filed February 3, 1999, which is a continuation of U.S. Patent Application Serial No. 07/949,675 filed September 22, 1992. Thus, the present application easily predates the earliest effective date of U.S. Patent No. 5,973,024 as a reference. In view of the foregoing, Applicants request that the rejection under 35 U.S.C. 102 be withdrawn.

Based upon the foregoing, Applicants believe that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

13. (Amended) The method of Claim 1, wherein said disposable material is further [capable of being] degraded by biological degradation.

14. (Amended) The method of Claim 1, wherein said disposable material is further [capable of being] degraded by microbial degradation.

15. (Amended) The method of Claim 1, wherein said disposable material is further [capable of being] biologically degraded to essentially carbon dioxide and water.

16. (Amended) The method of Claim 1, wherein said disposable material is further [capable of being] biologically degraded to essentially carbon dioxide and methane.

31. (Amended) The method of Claim 29, wherein said blotting compound is selected from the group consisting of water grabbers, at least one alkaline compound [capable of neutralizing] that neutralizes acid, dry mineral fillers, and mixtures thereof.

51. (Amended) The method of Claim 1, wherein said controlled manner of hydrolytic degradation is achieved by a process [of modifying at least one structural characteristic of said material, wherein said step of modifying is] selected from the group consisting of [modifying] decreasing the crystallinity of said material, [modifying] increasing the free volume of said material, [modifying] decreasing the orientation of said material, [modifying] decreasing the molecular weight of said material, [modifying] increasing the surface area of said material, and mixtures thereof.

72. (Amended) The method of Claim 14, wherein said microbial degradation is augmented by adding at least one source of nutrients to said disposable material, wherein said nutrients promote the activity of a microorganism [capable of degrading] that degrades said disposable material.

82. (Amended) A method for producing an environmentally degradable disposable material comprising:

(I) providing a material comprising a hydroxycarboxylic acid-containing polymer [capable of hydrolytic degradation] hydrolytically degrades during operative and disposal stages in

a controlled manner such that the disposal degradation rate of said material is accelerated relative to the operative degradation rate of said material; and

- (II) selecting at least one step from the group consisting of:
- (a) adding at least one activator compound to said material;
 - (b) adding at least one blotting compound to said material;
 - (c) coating said material with at least one coating compound;
 - (d) producing a material comprising a copolymer;
 - (e) adding at least one plasticizer to said material;
 - (f) [modifying] decreasing the crystallinity of said material;
 - (g) [modifying] increasing the free volume of said material;
 - (h) [modifying] decreasing the orientation of said material;
 - (i) [modifying] decreasing the molecular weight of said material;
 - (j) [modifying] increasing the surface area of said material;
 - (k) applying a stress to said material;
 - (l) adding at least one hydrophobic compound to said material;
 - (m) adding at least one end-capping agent to said material; and
 - (n) cross-linking said material.

83. (Amended) The method of Claim 82, wherein said material is further [capable of being] degraded by biological degradation.

84. (Amended) The method of Claim 82, wherein said material is further [capable of being] degraded by microbial degradation.

104. (Amended) The method of Claim 82, wherein said disposable material is further [capable of being] biologically degraded to essentially carbon dioxide and water.

105. (Amended) The method of Claim 82, wherein said disposable material is further [capable of being] biologically degraded to essentially carbon dioxide and methane.

129. (Amended) An environmentally degradable disposable material comprising a hydroxycarboxylic acid-containing polymer, wherein said material degrades hydrolytically during operative and disposal stages in a controlled manner such that the disposal degradation rate of said

material is accelerated relative to the operative degradation rate of said material and wherein said material is produced by a method comprising at least one step selected from the group consisting of:

- (a) adding at least one activator compound to said material;
- (b) adding at least one blotting compound to said material;
- (c) coating said material with at least one coating compound;
- (d) producing a material comprising a copolymer;
- (e) adding at least one plasticizer to said material;
- (f) [modifying] decreasing the crystallinity of said material;
- (g) [modifying] increasing the free volume of said material;
- (h) [modifying] decreasing the orientation of said material;
- (i) [modifying] decreasing the molecular weight of said material;
- (j) [modifying] increasing the surface area of said material;
- (k) applying a stress to said material;
- (l) adding at least one hydrophobic compound to said material;
- (m) adding at least one end-capping agent to said material; and
- (n) cross-linking said material.

130. (Amended) The method of Claim 129, wherein said material is further [capable of being] degraded by biological degradation.

131. (Amended) The method of Claim 129, wherein said material is further [capable of being] degraded by microbial degradation.

151. (Amended) The disposable material of Claim 129, wherein said disposable material is further [capable of being] biologically degraded to essentially carbon dioxide and water.

152. (Amended) The disposable material of Claim 129, wherein said disposable material is further [capable of being] biologically degraded to essentially carbon dioxide and methane.